

# Public consultation on the evaluation of the EU Directive on waste electrical and electronic equipment (WEEE)

Fields marked with \* are mandatory.

## Introduction

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The European Commission is evaluating [Directive 2012/19/EU on waste electrical and electronic equipment \(WEEE\)](#), hereinafter referred to as "the Directive", and therefore collecting insights into how the Directive is functioning.

The evaluation aims to assess the performance of the Directive against its objectives and expectations. The evaluation is also looking into how consistent the Directive is with the EU's wider policy objectives, including those introduced under the European [Green Deal](#) and the [Circular Economy Action Plan](#) and will take into account any other relevant developments in EU environmental and waste policy (e.g., [Batteries](#), [Ecodesign for Sustainable Products](#), [Restriction of Hazardous Substances in EEE](#), [Waste Shipments](#), [Critical Raw Materials](#)).

The evaluation covers the implementation of the Directive along with the related secondary legislation and any related measures and good practices taken at national level in all Member States.

You are invited to respond to the questionnaire according to your level of knowledge and involvement in the Directive's implementation or policy.

You can save your answers as drafts and finish the survey later. The questionnaire is accessible in all official EU languages and you may submit your reply in any of these languages.

If you have any questions, please contact the European Commission via [ENV-WEEE@ec.europa.eu](mailto:ENV-WEEE@ec.europa.eu).

## About you

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### \* 1 Language of my contribution

- ☐ Bulgarian
- ☐ Croatian
- ☐ Czech
- ☐ Danish
- ☐ Dutch

- ☒ English
- ☐ Estonian
- ☐ Finnish
- ☐ French
- ☐ German
- ☐ Greek
- ☐ Hungarian
- ☐ Irish
- ☐ Italian
- ☐ Latvian
- ☐ Lithuanian
- ☐ Maltese
- ☐ Polish
- ☐ Portuguese
- ☐ Romanian
- ☐ Slovak
- ☐ Slovenian
- ☐ Spanish
- ☐ Swedish

\* 2 I am giving my contribution as

- ☐ Academic/research institution
- ☒ Business association
- ☐ Company/business
- ☐ Consumer organisation
- ☐ EU citizen
- ☐ Environmental organisation
- ☐ Non-EU citizen
- ☐ Non-governmental organisation (NGO)
- ☐ Public authority
- ☐ Trade union
- ☐ Other

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association,**

**'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.**  
Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

#### \* 4 Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

☐ **Anonymous**

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

☒ **Public**

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

#### \* 5 First name

FEAD

#### \* 6 Surname

Secretariat

#### \* 7 Email (this won't be published)

info@fead.be

#### \* 11 Organisation name

*255 character(s) maximum*

FEAD - European Waste Management Association

#### \* 13 Organisation size

☒ **Micro (1 to 9 employees)**

- ☐ Small (10 to 49 employees)
- ☐ Medium (50 to 249 employees)
- ☐ Large (250 or more)

## 14 Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

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## \* 15 Country of origin

Please add your country of origin, or that of your organisation.

*This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.*

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☒ I agree with the [personal data protection provisions](#)

## Objectives and Scope

The assessment should explore whether the objectives and scope of the Directive are still applicable and sufficient also considering current and future needs. The objectives are to protect the environment and human health by:

- preventing or reducing the adverse impacts of the generation and management of WEEE;
- reducing the overall impacts of resource use;
- improving the efficiency of resource use.

To reach these objectives, the Directive sets out measures, inter alia, for WEEE to be collected separately from unsorted municipal waste, for proper treatment (recovery and recycling) and promoting (preparing for) re-use. It sets ambitious collection targets increasing over time, combined preparing for re-use and recycling targets as well as recovery targets. The Directive incorporates extended producer responsibility (EPR), according to which electrical and electronic equipment (EEE) producers are obliged to finance WEEE collection and treatment.

16 To what extent do you think the Directive has been effective in achieving the following main objectives?

	Very Effective	Effective to some extent	Ineffective	Don't know
* Reduction of WEEE generation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Reduction of negative impacts on the environment and on human health during collection and treatment of WEEE	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Efficient use of (primary) resources to produce EEE	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Retrieval/ Recycling of secondary raw materials from WEEE	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Application of <a href="#">best available techniques</a> for WEEE collection and treatment (prevention of emissions, proper treatment)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Prevention of illegal shipments of WEEE out of the EU	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Establishment of a level playing field between the Member States	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

17 Please provide a justification

FEAD believes that the reduction of WEEE generation is not a major focus of the WEEE Directive as it mainly deals with waste issues. The best way to deal with the generation of WEEE is to foster reparability and the long-life of EEE. Therefore, the right to repair and Eco-Design-Directive are better suited to deal with the problem of waste generation.

The creation of a proper market with clients for secondary raw materials that urge the value chain to incorporate the duties of the BAT document would be a big incentive.

WEEE is still one of the fastest-growing and developing waste streams in the EU. There are still quite big issues, such as illegal shipments and the collection targets of WEEE are rather low.

Especially, the collection system lacks enforcement and control and, in order to improve the recycling, more collection points should be implemented. It is also needed to raise awareness among consumers. FEAD, therefore, proposes to adopt a system that can incentivise the consumer to bring the end-of-life product to dedicated points in order to avoid incorrect discarding that may cause health and safety problems during the waste management cycle – collection, sorting, recycling.

However, the Directive needs to be strongly interlinked with obligations towards a more circular-friendly design of EEE, in order to meet the circular economy standards in the shortest period.

The improvement in the collection system and regulation of particular details could help Member States and companies in reaching both European's collection targets and the re-use and recycling of WEEE.

Especially because EEE have a long-life period before they became waste, it is difficult that they can be involved in the calculation of the collection targets and help to achieve the foreseen.

We believe that collection targets should be much more differentiated, because 65% is not easy to achieve from all the categories, and different approaches are needed in order to achieve different quality of recycle. In some countries, such as Italy, for instance, the collection target has stood at around 35%, far from the European target of 65%.

On the other side, thanks to private investments, the treatment sector has become increasingly efficient and effective, guaranteeing the achievement of targets and the reduction of waste sent for disposal.

Again with regard to collection, it should be noted that the problems do not only concern the quantity of WEEE collection but also the modalities, such as the 1:1 obligation, which is the way of taking back the old in return for the new electronic or electrical device and the 1:0 obligation, which occurs when producers and online-distributors are obliged to collect waste of any electronic or electrical device which dimensions is not exceeding 25 cm in total. Both of them have not yielded the expected results and the interception through municipal collection facilities, despite the awarding of efficiency bonuses, registers several inefficiencies and problems (cannibalised WEEE, etc.).

Minimum collection standards should be adopted to improve the quality of the quality of waste arriving to the treatment facilities.

Regarding illegal shipment, the Directive was helpful on the reversal burden of proof when WEEE has to be exported. But the Member States have to make sure, that the directive is comprehensively enforced.

Significant quantities of WEEE are presently being sent to third countries, meant for reuse, but this practice is, in truth, a form of illegal export. FEAD is advocating for enhanced oversight in this regard as part of the new Directive's revision.

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For each of the objectives listed below, please indicate and describe the factors that supported or hindered their achievement.

Objectives	Contributing factor	Hindering factor
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Reduction of WEEE generation		Lack of eco-design, repairability and planned obsolescence
Reduction of negative impacts on the environment and on human health during collection and treatment of WEEE	Treatment companies are pushed towards constant efficiency and performance improvement	
Efficient use of (primary) resources to produce EEE		<p>FEAD believes that the Directive lacks proper guidelines for an efficient use of primary resources to produce EEE. Sometimes, there can be a conflict of goals, e.g. when easy-to-recycle metals are replaced by hard-to-recycle plastics.</p> <p>To further improve the reduction of primary resources, the Directive should introduce obligations for producers to use recycled materials in EEE.</p>

<p>Retrieval/ Recycling of secondary raw materials from WEEE</p>	<div data-bbox="320 965 796 1126"> <p>Encourage the practice and use of recycling of the materials contained in WEEE</p> </div>	<p>Some recycling rates (e.g. for refrigerators) should be revised because they are not achievable with current treatment technologies and not compatible with operational reality.</p> <p>When defining recycling rates, the revision of the Directive should not only consider values and percentages, but also emphasise the quality and type of materials to be recycled, by using quality-oriented criteria.</p> <p>Moreover, plastics used in WEEE may contain some hazardous substances (or substances of concern). Restrictions on these substances are increasing and they should be excluded from the weight of the waste that accounts for the recycling rate calculation. FEAD believes that the recycling rate cannot be calculated on the total amount of plastics in WEEE, but only on the mass of plastics that do not contain hazardous substances (or substances of concern). Talking about recycling of strategic/critical raw materials, we know that, currently, there is no sufficient capacity in the EU to treat them, because the plants are (mostly) situated in Asia. Legislation, therefore, has to concentrate on fostering the demand for CRM in the EU and increasing processing capacities.</p> <p>FEAD proposes, alongside the introduction of quality-oriented criteria, the implementation of progressive phased-approach of minimum recycled content targets and recycling targets as a promising added value to foster the achievement of the mentioned targets.</p> <p>Moreover, despite CRM and precious metals are present in very limited percentages in WEEE, because of their strategic importance, their maximum recovery has to be performed.</p> <p>In order to improve the recycling rate and the efficiency of the treatment process, FEAD strongly supports the building of a link between EEE producers and recyclers. By doing so, the design of EEE can consider the end-of-life stage, simplifying the way to disassembly the different components. Recyclers need to have better access to information on hazardous substances and composition of EEE. Therefore, a digital product passport can be helpful in this respect, but only in connection with strong obligations towards the design for recycling.</p>
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Application of best available techniques for WEEE collection and treatment (prevention of emissions, depollution)	<div>BAT pushed plants to renovate and adapt to the highest treatment standards.</div>	
Prevention of illegal shipments of WEEE out of the EU	<div>Annex VI has contributed to the reduction of the export of whole WEEE by clarifying, for the benefit of control authorities, the difference between WEEE and used EEE.</div>	<p>FEAD supports the idea that there is a lack of clear indications concerning the shipment, both within and outside the EU, of components and fractions resulting from the treatment of WEEE. This has led to significant discrepancies between the Member States with repercussions on the competitiveness of businesses.</p> <p>For instance, in Italy, there are several arbitrary disputes by the competent authorities of the shipment on the nature of the waste that generate significant economic and image losses for companies. Precisely for this reason, it would be desirable for the revision of the Directive to take this aspect into account by providing objective and unambiguous indications on which materials/waste resulting from the treatment of WEEE are exportable and how, so as to create more clarity.</p>
Establishment of a level playing field between the Member States	<div>The harmonisation will help in having common standards in Europe and taking down the confusion caused by the different interpretations. The creation in all Member States of a coordination body with enforcement capabilities and of an independent and neutral register to oversee reporting figures could be a way to enhance the current situation.</div>	<div>There's an uneven playing field for a variety of aspects (competition faced by operators, severity of enforcement, waste categories, registration requirements, storage and collection methods) caused by the different interpretations by individual Member States on how to transpose the legislation at their national level.</div> <p>Therefore, harmonisation of implementation is needed.</p>

## General aspects

19 To what extent has the Directive been successful in implementing specific aspects of the extended producer responsibility principle?

	Very Effective	Effective to some extent	Ineffective	Don't know
* Financing the costs for the management of WEEE by responsible producers (avoiding free-riders)				
* Ensuring that sufficient and convenient take-back possibilities for WEEE from households exist				
* Development of appropriate recycling technologies for WEEE				
* Ensuring that WEEE is managed using best available techniques				
* Ensuring knowledge about volumes of EEE put on the market				

## 20 Please provide a justification

From what concerns FEAD's members, it can be noticed that, in the German case, for instance, EPR rules ensure a minimum of cost coverage for the collection and handling of WEEE. There is still a problem with getting all producers and retailers registered for the EPR scheme. The WEEE Directive should include that no (online) retailers are allowed to put EEE on the market, if they are not provided by the producers with a registration number according to WEEE Directive rules.

The numbers on collection rates throughout the EU show that there are insufficient take-back-possibilities for citizens. New provisions should oblige producers to finance more efficient collecting systems close to private household areas. As the market share of online retailers rises steadily, they also should be obliged to finance these take-back systems.

Though the recycling sector invested a lot in new recycling technologies, currently, the situation on eco-modulation is quite broad and unclear. In order to foster the development in recycling technologies (e.g. for CRM) and drive the practices more in the sustainable circularity way, tailored for producers should be introduced, whereby producers of recycling-friendly products and with a higher content of recycled-materials in their products must pay a lower EPR fees.

Regarding battery-containing WEEE there is a blind spot in EPR-systems as the number of fires caused by batteries in collecting vehicles, sorting and treatment plants heavily increased and will increase even more in the future. As a consequence, recyclers are not able (it is always more difficult) to get a proper insurance for their facilities against battery fires. Collectors and recyclers have to heavily invest in fire protection measures without any help from producers. Producers will have to pay a fixed amount in a fond to assist with covering costs for fire protection measures but also to pay for damage caused by battery fires.

In order to incentivise the return of batteries and the achievement of the collection target, FEAD proposes the possibility of implementing a Deposit Refund Scheme (DRS) alongside the EPR. The system should be applied to all WEEE containing batteries, especially where these are difficult or impossible to remove such as in childrens' toys and small WEEE . FEAD believes that the Commission could evaluate this specific proposal in conjunction and in line with the assessment report referred to Article 63 of Battery Regulation 2023/1542.

## 21 To what extent do you agree with the following statements?

The Directive...	Agree	Neither agree nor disagree	Disagree	Don't know
* is well adapted to the changes in the composition (types of devices, material composition etc.) of WEEE generated	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* is well adapted to scientific progress regarding management of hazardous substances	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* is well adapted to the technological developments in WEEE treatment	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* has helped to improve knowledge about WEEE flows (including materials derived from WEEE treatment)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* has promoted research and innovation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* has helped to establish a well-functioning single market for secondary raw materials	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* has contributed to creating additional jobs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* implementation does not cause unnecessary costs for business, citizens and public authorities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Member States would not have achieved as much progress in the absence of the EU legislation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Member States acting on their own would have incurred greater expense to achieve the same progress in the absence of EU legislation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

## 22 Please provide a justification

FEAD supports the idea that the new WEEE Directive will have to deal with new compositions of EEE, which makes it more and more complicated to recycle the material (eg. More (hazardous) plastics/ miniaturization /Adhesions). For this reason, recycling and recovery rates should be more tailored and flexible. As more substances are declared hazardous, e.g. through POPs regulation, various materials have to be incinerated rather than recycled. It has to focus on product law and phasing out hazardous substances in the production cycle, therefore it will be necessary to enforce the law throughout the value chains.

Regarding secondary raw materials: a well-functioning market does not exist as the recycling sector highly depends on a market with volatile prices for primary resources. That's why, as said, obligations for a minimum recycled content should be considered.

In order to adapt to steadily new composition and EEE trends, FEAD proposes to set up a dialogue platform between producers and recyclers should be brought to life and be hosted by an EU authority, with the aim of increasing the knowledge on product design, composition and recyclability. The platform could develop scoreboards to assess handling and recyclability of EEE (e.g. France is already having experiences with information obligations regarding eco-design/circular-design of EEE). These scoreboards could be the calculation base for future eco-modulated EPR schemes. On the other hand, the work of a dialogue platform between producers and recyclers could help with steadily adapting the Directive to new EEE trends.

## WEEE collection

23 The following reasons were mentioned as hindering the achievement of high levels of collection. To what extent do you agree that the following reasons are hindering?

	Fully	To a large extent	To some extent	Not at all	Don't know
* Insufficient collection systems (e.g. coverage, financing of EPR, capacities)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Inconvenient collection systems	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Collection by the informal sector including scavenging for valuable parts	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Lack of awareness /information about take back possibilities or about the advantages of not hoarding WEEE	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Enforcement shortcomings	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

24 Please provide a justification

The management of WEEE should exclusively be on permitted operators to ensure proper treatment. Minimum standard required for collection, as said, could also help to improve the quality of the waste arriving at the plants, reducing fire hazards, exposure to weathering and whatever related to the presence of hazardous substances in WEEE. Moreover, containers should be more adapted to the types of WEEE they hold.

FEAD wants to point out that collection is the main bottleneck to the achievement of the targets. Special attention should be paid to this aspect in the revision of the new directive, trying to make it more efficient and effective, for instance, setting business incentives in order to make proper collection of WEEE interesting for treatment companies.

## WEEE treatment

\* 25 Do you consider that the requirements for the proper treatment of WEEE set out in Art. 8 and Annex VIII of the Directive are appropriate to minimise pollution as far as possible and contribute to the efficient use of resources?

- ☒ Yes
- ☐ No
- ☐ Don't know

\*

27 Do you consider the recovery targets set out in Art. 11 and Annex V of the Directive are appropriate to ensure high levels of material recycling including critical raw materials and minimizing disposal of WEEE materials?

- ☒ Yes
- ☐ No
- ☐ Don't know

28 Please explain:

FEAD believes that targets should be set not only for total recycled materials but possibly also for specific substances (e.g. CRM and precious metals) which, although present in very small quantities, are strategically and economically relevant.

It is emphasized that in order to support the recycling industry, ensuring its economic sustainability and thus the possibility of continuous investment to improve the efficiency and effectiveness of treatment processes, the conditions for a strong and stable market for recycled materials should be created.

In this perspective, the main driver could be the setting of a binding target for a minimum content of recycled material in the production of new goods. This instrument should also be coordinated with other relevant European legislation, such as the proposed Regulation on eco-design. Another mechanism could be the definition of an eco-design fee, to be paid by producers for the end-of-life of EEE placed on the market, which is reduced if the EEE meets certain standards (recycled content, precise indications on the presence of hazardous substances, ease of dismantling and recycling, etc.).

29 Following a mandate by the Commission, European Standards for the treatment of WEEE have been developed (EN 50625 series on WEEE treatment and EN 50614 on WEEE preparing for reuse). What is your experience with the implementation of these standards?

WEEE treatment standards are needed to ensure a level playing field within and among Member States and to increase the environmental benefits through a high-quality recycling.

Among FEAD's member, for instance, in Italy, these standards have been used with slight modifications and adaptations, to define the treatment procedures that companies must have in order to be able to treat household WEEE managed by the Centro di Coordinamento RAEE (the Italian consortium that optimises, by standardising the relevant terms and conditions, the collection, take-back and management of WEEE by collective systems for delivery to treatment facilities).

On the other hand, EN50614 standards on preparing for re-use seem to contain provisions that are not suitable for the operational reality and are difficult/impossible to apply (e.g. checking whether the WEEE to be prepared for re-use has been stolen).

In other cases, such as in Germany, standards are much stricter and hard to be applied by recyclers, thing that is not suitable in a common EU market.

## Efficiency of the Directive

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30 To what extent has the implementation of the Directive affected the following **direct costs**?

	Lowered significantly	Lowered to some extent	No change	Increased to some extent	Increased significantly	Don't know / na
* <b>Adjustment costs</b> (i.e. investment and expenses to adjust to the requirements of the Directive or national legislation e.g. costs for implementing treatment standards)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* <b>Administrative costs</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* <b>Enforcement costs</b> (linked to the implementation of an initiative such as monitoring, inspections etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* <b>Hassle costs</b> (e.g. because of deficiencies in the administrative implementation of legislation)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>



31 To what extent has the implementation of the Directive affected the following **indirect costs**?

	Lowered significantly	Lowered to some extent	No change	Increased to some extent	Increased significantly	Don't know / na
* <b>Transaction costs</b> (e.g. due to renegotiation of contracts due to the requirements of the Directive)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* <b>Opportunity costs</b> (e.g. costs of foregone alternative investments to comply with legal obligations)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* <b>Indirect compliance costs</b> (e.g. because other stakeholders must comply with legislation.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* <b>Offsetting/substitution costs</b> (e.g. related to reliance on alternative sources of supply)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* <b>Environmental costs</b> (e.g. related to negative externalities , e.g., illegal e-waste export)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* <b>Indirect social costs</b> (e.g. jobs lost due to increased costs of compliance)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

32 What other direct or indirect costs, if any, have you experienced related to the Directive?

Art. 12 of the Directive lays down financing obligations by responsible producers to at least finance the collection, treatment, recovery and environmentally sound disposal of WEEE from households.

\* 33 In your opinion: To what extent are the costs associated with the management of WEEE covered by this producer financing obligation?

- ☐ Fully covered
- ☐ To a large extent
- ☒ To some extent
- ☐ To a small extent
- ☐ Don't know

34 Please explain

In general, there is no internalization of environmental and recycling costs.

## Coherence and EU added value

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35 Are there any provisions in the Directive you consider obsolete? If so, which ones and why?

The first need is to adapt the legislation to the advancement of the technological process that affects both the production of EEE and the treatment of WEEE, which, in the consumer electronics sector, is particularly fast.

FEAD proposes to establish a technical body, with the participation of representatives of institutions and the EEE value chain (producers, collectors, treatment companies), to act as an instrument of consultation and clarification of the criticalities in the application of the legislation and of the problems that would gradually emerge. Such a tool would allow the legislation greater flexibility and the possibility of responding quickly to the requests of operators, thus enabling the full efficiency and effectiveness of regulatory provisions, as well as uniformity in their application.

The information on Substances of Concern In articles have to be easily manageable by the management plants, since they are working on mixed streams of waste and not only on one single type of waste.

Therefore, it would be useful to have aggregated info, at least per category of EEE in order to manage the waste in an easier way.

36 Do you see any deficits in the adaptation of the Directive to scientific and technical progress?

The new proposal will necessarily have to adapt to the technological advancement of treatment processes. That is why it is crucial that policy makers listen to the WEEE recycling industry needs and calls.

An example of an outdated measure is the obligation (in Annex VII) of prior separation of print circuit boards of mobile phones generally, and of other devices if the surface of the printed circuit board is greater than 10 square centimetres, that today can be effectively separated from the rest of the fractions downstream of shredding.

The product design should be a key aspect to maximise the recyclability in line with the scientific and technical progress. Products shall be designed and manufactured ensuring some specific requirements, such as the easy removability of batteries, a clearer identification of certain substances, materials, and components in EEE (e.g. colour coding to demonstrate any hazardous or significant parts present) and set recycled content targets.

Therefore, FEAD proposes to give more emphasis also to the design of categories focused on product constituents and treatment requirements that should be done through study with input from waste management sector. The classification should be based on product content, hazards, and treatment requirements rather than size.

As technology is constantly changing the design and the treatment of EEE, the waste management industry believes in cooperation among different actors and development of agreement at the European level that should aim to improve the way this waste flow is managed, to enable to achieve the goals we, as a community, have set.

### 37 Are you aware of any unexpected or unintended effects caused by the Directive? If so, which ones?

Member States have very different implementation schemes for the Directive – especially small and medium enterprises are failing to fulfil the diverse legal requirements of different EU countries. FEAD supports the idea that harmonizing the requirements should have a key role in the future Directive.

### 38 Which EU and international (non-EU) legislation do you consider relevant for the EU (W)EEE market?

FEAD believes that consistency with other legislations is crucial to improve the efficacy of the provisions on WEEE and reach the highest recyclability.

In addition to the current Directive, other regulations relevant to the WEEE management sector are the Waste Shipment Regulation (which has a major impact on the sustainability of companies as they are obliged to use it to fulfil their environmental obligations - hazardous waste disposal and residual fractions - and recycling obligations - sending materials containing precious metals to refineries for recovery); the proposed Regulation on Eco-design (which could define the necessary collaboration between producers and recyclers and set measures to support the recyclates market); the RoHS Directive; the Batteries Regulation; the CRMs Act.

### 39 What is your opinion about the links **between the Directive and the Ecodesign Directive**?

To date, the Eco-design Directive has little impact and, therefore, new legislation is needed in order to have a greater impact on the sector by bringing the proposed benefits. In particular, it will have to allow and stimulate an active confrontation between producers and recyclers to improve and simplify the end-of-life recovery of EEE. Fundamental tools to keep in mind when defining the new Eco-design Regulation are the provision of a minimum content of recycled material in the production of new goods, the possibility of facing out of substances of concern and the possibility of eco-modulation of the fee that producers are obliged to pay for end-of-life management.

40 What is your opinion about the links **between the Directive and the Directive on the restriction of the use of certain hazardous substances in EEE (RoHS)?**

41 Have you encountered any gaps, contradictions, overlaps or missing links **between the Directive and other EU legislation?** Please elaborate, if yes.

42 Have you encountered any gaps, contradictions, overlaps or missing links **within the Directive?** Please elaborate, if yes.

One of the inconsistencies faced by treatment operators is the request to remove brominated plastics without any specification on the type. It would be appropriate to include a reference to the specific POPs standard.

43 Did you encounter any (potential) incoherences with the strategic direction of certain EU policies?

FEAD strongly supports the idea that it is necessary for Europe to combine policies related to the circular economy with the drive to reduce and eliminate hazardous substances. In fact, if these initiatives are not coordinated, there is a risk that all the costs will fall on the recycling industry, which would find itself in the position of having to dispose of a lot of material that cannot be used by the production industry.

Another need for coordination concerns the export of waste. In fact, according to the indications that the revision of the Waste Shipment Regulation giving, the European goal is to keep waste and waste materials as much as possible within the borders of the EU, making exports outside the EU more and more complex. In order to fulfil this objective, it is necessary to ensure adequate treatment capacity within Europe, implement mandatory recycled content targets, and above all to really simplify the shipment of waste within Europe.

The revision of the Basel Convention entries on e-waste shall not lead to the introduction of the PIC procedure for shipments of non-hazardous electronic waste within the EU.

\* 44 Do you think that the issues addressed by the Directive continue to require action at EU level?

- ☒ Yes
- ☐ No

46 Do you see the Directive being effective as a legal instrument? Please elaborate.

FEAD believes that the shift from a Directive into a Regulation is necessary to eliminate disparities in waste management, enforcement and other aspects among the EU Member States.

47 Please feel free to upload a relevant document, such as additional evidence supporting your responses or a position paper. The maximum file size is 1 MB.

Please note that the uploaded document will be published alongside your response to the questionnaire, which is the essential input to this public consultation. The document is an optional complement and serves as additional background reading to better understand your position

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

**71846abf-c4e9-451e-9ce2-9c653f7cd04a/FEAD\_Statement\_on\_the\_revision\_of\_WEEE\_Directive\_EC.pdf**

## **Contact**

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